

JCWSCS 18 DEC 2003

DEC 18 2003 15:34 FR PATENT LAW DEPARTMENT 732 274 4533 TO PTO FILING RCPT P.01/10

5 Giralda Farms
Madison, NJ 07940-0874

Wyeth

F A C S I M I L E

Date: December 18 2003

Number of pages (including cover): 10

To: Commissioner for Patents

OIPE Filing Receipt Corrections

Telephone:

Fax: 703-746-9195

cc:

From: Bill T. Brazil, Ph.D.

Department: Patent Law

Telephone: (732) 274-4843

Fax: (973) 660-7151

☐ Urgent

☐ For your review

☐ Please reply asap

☐ Please comment

Re marks:

Case No: AM100012-P2

In re of Application of:

Application No.:

Filed:

For:

Robert John Mark et al.

10/601,492

June 23, 2003

Group Art No.:

1645

Examiner:

PABLO, A POLYPEPTIDE THAT INTERACTS WITH BCL-XL, AND USES
RELATED THERETO

Following are:

Request for Corrected Filing Receipt

Copy of the Original Filing Receipt

Copy of our Original Transmittal Letter

This transmission is intended for the addressee only and may be attorney-client privileged and/or contain information that is confidential and/or proprietary to Wyeth. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of the information contained in this facsimile is unauthorized and strictly prohibited. If you have received this facsimile in error, please notify this office immediately by telephone call to the sender above so we can arrange for the destruction or return of the document to Wyeth at no cost to you. Thank you.

Docket No: AM100012-P2
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: Robert John Mark et al.
Application No.: 10/601,492 Group Art No.: 1645
Filed: June 23, 2003 Examiner:
For: PABLO, A POLYPEPTIDE THAT INTERACTS WITH BCL-XL,
AND USES RELATED THERETO
Confirmation No.: 4877
Customer Number: 25291

Commissioner for Patents
OIPE Filing Receipt Corrections
VIA FACSIMILE NO: 703-746-9195

REQUEST FOR CORRECTED FILING RECEIPT

Sir:

1. Attached is a copy of the official filing receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested.
2. There is an error with respect to the following data which is:
☒ omitted

CERTIFICATE OF FACSIMILE 37 CFR §1.8

I hereby certify that this paper and the documents referred to as enclosed therein are being transmitted by facsimile to the Commissioner for Patents, OIPE Filing Receipt Corrections, 703-746-9195 on the date written below.

December 18, 2003
Date

Carole K. Kamrad
Carole K. Kamrad

Docket No: AM100012-P2
Patent


ERROR IN

1. ☐ Applicant's Name
2. ☐ Applicant's Address
3. ☐ Title
4. ☐ Filing Date
5. ☐ Serial Number
6. ☐ Foreign/PCT Appln. Re
7. ☒ Other - Missing Customer Number

CORRECT DATA

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
7. Customer Number 25291

3. A. ☒ The correction(s) is/are not due to any error by applicant and no fee is due.


Bill T. Brazil
Agent for Applicants
Reg. No. 50,733

Wyeth
Patent Law Department
Five Giralda Farms
Madison, NJ 07940
Tel. No. (732) 274-4843

NOTE:

Recently Wyeth has received a significant number of filing receipts for patent applications where our customer number and our customer number address information is not being applied while it has been requested in the transmittal letter.

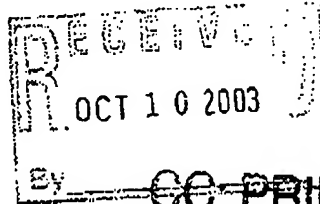


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/601,492	06/23/2003	1645	1030	AM100012-P2	21	8	1

Bill T. Brazil
 Wyeth
 Five Giralda Farms
 Madison, NJ 07940-0874



CONFIRMATION NO. 4877

FILING RECEIPT



OC000000011007793

CO. PRINCETON

Date Mailed: 10/08/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Robert John Mark, Lawrenceville, NJ;
 Kathleen H. Young, Newtown, PA;
 Andrew Timothy Wood, Newtown, PA;

Assignment For Published Patent Application

Wyeth, Madison, NJ;

Domestic Priority data as claimed by applicant

This application is a CIP of 09/858,155 05/15/2001
 which is a DIV of 09/425,501 10/22/1999

Foreign Applications

Projected Publication Date: To Be Determined - pending completion of Security Review

Non-Publication Request: No

Early Publication Request: No

Title

Pablo, a polypeptide that interacts with BCL-XL, and uses related thereto

Preliminary Class

436

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Docket No: AM100012-P2
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: Robert John MARK et al.
Application No.: Group Art No.:
Filed: Examiner:
For: PABLO, A POLYPEPTIDE THAT INTERACTS WITH BCL-XL,
AND USES RELATED THERETO
Confirmation No.:
Customer Number: 25291

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

APPLICATION FOR TRANSMITTAL UNDER 37 CFR 1.53 (b)

Transmitted herewith for filing is the patent application of the following Inventor(s):
Robert John MARK, Kathleen H. YOUNG, and Andrew Timothy WOOD;

For: PABLO, A POLYPEPTIDE THAT INTERACTS WITH BCL-XL, AND USES
RELATED THERETO.

1. This new application is for a:
☐ Divisional
☐ Continuation
☒ Continuation-in-part (CIP)
2. Benefit of Prior U.S. Application(s) (35 USC 120)
This new application being transmitted claims the benefit of prior U.S. application(s):
Application No. 09/425,501, filed on October 22, 1999
Application No. 09/858,155, filed on May 15, 2001
3. Papers enclosed which are required for filing date under 35 CFR 1.53(b):
☒ Pages of specification – 102 pages
☒ Sequence Listing – 8 pages on
☐ CD-ROM or CD-R (2 copies); or
☒ Paper
☒ Pages of claims – 1 pages
☒ Page(s) of abstract – 1 pages
Sheets of drawing – 21 pages
☒ Formal
☐ Informal

CERTIFICATE OF MAILING 37 CFR §1.10

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV100601467US addressed to Mail Stop Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

June 23, 2003
Date

Carole K. Kamrad
Carole K. Kamrad

Docket No: AM100012-P2
Patent

4. Additional papers enclosed

- ☒ Information Disclosure Statement
- ☒ Form PTO-1449
- ☐ Citations
- ☐ Statement of Biological Deposit
- ☒ Computer Readable Form of Sequence Listing
- ☒ Statement Under 37 CFR 1.821(f)
- ☒ Application Data Sheet
- ☐ Other:

5. Declaration

- ☐ Copy from a prior application (37 CFR 1.63 (d)) is enclosed
- ☒ New declaration enclosed and executed by all inventor(s)
- ☐ New declaration not enclosed or not executed by all inventor(s)

6. Assignment

An assignment of the invention to:

Wyeth
Five Giralda Farms
Madison, New Jersey 07940

- ☐ was made in the prior application and recorded in PTO on , Reel ,
Frame
- ☒ is attached under separate Recordation Form Cover Sheet.
- ☐ will follow.

7. Incorporation By Reference

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Section 5 of this transmittal, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

8. Amendments

- ☐ Cancel in this application original claims of the prior application before calculating the filing fee. (At least one original independent claim is retained for filing purposes.)
- ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following with the highest numbered original claim in the prior application.)

Docket No: AM100012-P2
Parent

9. General Authorization:

During the pendency of this application treat any reply requiring a petition for extension of time for its timely submission as containing a request therefor for the appropriate length of time. The Commissioner is hereby authorized to charge all required extension of time fees during the entire pendency of this application to Deposit Account No. 01-1425.

10. Filing Fee Calculation

CLAIMS AS AMENDED				
(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA x RATE		(4) BASIC FEE
				\$750.00
TOTAL CLAIMS	20	0	x \$ 18.00	0.00
INDEPENDENT CLAIMS	2	0	x \$ 84.00	0.00
MULTIPLE DEPENDENCY FEE			\$ 280.00	280.00
			Total Filing Fee:	\$1,030.00

11. Fee payment being made at this time: \$1,030.00

12. Method of Payment of Fees:

Charge Deposit Account No. 01-1425 in the amount of \$1,030.00
A duplicate of this transmittal is attached.

13. Instructions as to Overpayment:

Credit any overpayment to Deposit Account No. 01-1425.

14. Authorization to Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. 01-1425:
- ☒ 37 CFR 1.16(a), (f), or (g) filing fees
 - ☒ 37 CFR 1.16(b), (c), and (d) presentation of extra claims
 - ☒ 37 CFR 1.16(e) surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application.
 - ☒ 37 CFR 1.17 application processing fees

15. Relate Back (35 USC 120)

- ☒ Amend the Specification by inserting before the first line the sentence:
--This is a continuation-in-part of copending application number 09/858,155 filed on May 15, 2001, which is a divisional of copending application number 09/425,501 filed on October 22, 1999, the entire disclosure of which are hereby incorporated by reference.--

Docket No: AM100012-P2
Patent

16. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed
- (a) ☐ This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application is (are)
- ☐ the same
- ☐ less than those named in the prior application and it is requested that the following inventor(s) identified for the prior application be deleted in accordance with the signed statement attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)):

- (b) ☒ This application discloses and claims additional disclosure by amendment and a new declaration is being filed. With respect to the prior application the inventor(s) in this application is (are)
- ☒ the same
- ☐ the following additional inventors have been added:

17. Maintenance of Copendency of Prior Application
- (a) ☐ Extension of Time in Prior Application
- ☐ A petition, fee and response extends the term in the pending prior application until
- ☐ A copy of the petition filed in the prior application is attached.
- (b) ☐ Conditional petition for Extension of Time in Prior Application.
- ☐ A conditional petition for extension of time is being filed in the pending prior application.
- ☐ A copy of the conditional petition filed in the prior application is attached.

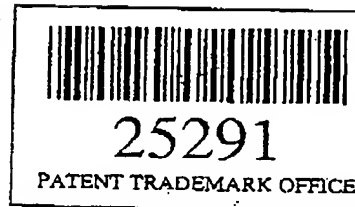
18. REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

☒ A request not to publish this application and certification under 35 U.S.C. 122(b)(2)(B)(i) is attached.

Docket No: AM100012-P2
Patent

19. SEND CORRESPONDENCE TO:
Customer Number: 25291

Bar Code:



DIRECT ALL TELEPHONE CALLS TO:
Name: Bill T. Brazil
Tel. No. (732) 274-4843

20. ☒ Return Receipt Postcard is attached.

Bill T. Brazil

Bill T. Brazil
Agent for Applicants
Reg. No. 50,733

Wyeth
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